

**SCRUTINY COMMISSION**  
**1ST JUNE 2020**

PRESENT: The Chair (Councillor Rattray)  
The Vice Chair (Councillor Draycott)  
Councillors Bailey, Baines, Bolton, Hadji-Nikolaou  
and Parsons

Councillor Harper-Davies (Cabinet Lead Member  
for Performance of Major Contracts)

Chief Executive  
Strategic Director of Housing, Planning,  
Regeneration and Regulatory Services  
Strategic Director of Corporate Services  
Head of Leisure and Culture  
Democratic Services Manager  
Information Development Manager  
Democratic Services Officer (SW) and Democratic  
Services Officer (NC)

APOLOGIES: None

The Chair stated that this virtual meeting would be livestreamed and recorded and the recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

1. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Commission held on 9th March 2020 were approved subject to an additional recommendation being added to Minute 113a 'Corporate Delivery Plan 2020/21' as follows:

'Recycling rate targets be reviewed to reflect more realistic desire to improve.'

2. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

3. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

4. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions had been submitted.

5. DISCUSSION PAPER - APPROACH TO SCRUTINY DURING THE COVID-19 PANDEMIC

A report of the Head of Strategic Support to inform the Commission of the guidance produced by the Centre for Public Scrutiny (CfPS) supported by the Local Government Association (LGA) concerning the challenges associated with carrying out scrutiny during the Covid-19 pandemic was considered (item 6 on the agenda filed with these minutes).

The Democratic Services Manager attended the meeting and assisted with the consideration of this item. The following summarises the discussion:

- (i) There was a consideration that a six-month suspension of scrutiny committees and panels could be too lengthy as progress in overcoming the pandemic appeared to be positive and the situation was likely to change drastically during the period of the next six months. It was suggested that the six-month suspension timescale until 30th November 2020 should apply, but that a review of this be undertaken at a meeting of the Commission in September or October 2020.
- (ii) The concept of one key scrutiny item to focus on at each Scrutiny Commission meeting would be beneficial. There was a suggestion that scrutiny reflect the recovery cells, concentrating on three key areas; organisational recover, economic recovery and community recovery. The Commission could rotate these themes and receive an update on each one, every three months.
- (iii) The ‘live’ questioning from members of the public would not be practical, but there was already provision for members of the public and councillors to submit questions under Scrutiny Committee procedure 11.16 as set out in the Constitution. These questions would be received in advance of the meeting, which could then be published with the agenda and answered at the meeting by the relevant officer.
- (iv) Members agreed that strengthening the relationship between Audit and Scrutiny would be beneficial during the period of recovery. This would allow the Commission to be informed on the financial implications in a timely manner.
- (v) With regards to Special Responsibility Allowances for the Chairs and Vice-Chairs of the directorate-based scrutiny Committees, Members felt that this required further consideration and discussion.

**RESOLVED**

- 1. that the current cycle of directorate-based Scrutiny Committee meetings and Scrutiny Panel work be suspended for six months until 30th November 2020 with a review in September or October 2020;
- 2. that option 1 as set out in the report of the Head of Strategic Support be applied, using the Scrutiny Commission with existing membership and monthly cycle of meetings as the temporary single Scrutiny function;

3. that a single substantive agenda item for each meeting concentrate on one of the recovery cells; organisational recovery, economic recovery and community recovery;
4. that the relationship between the Scrutiny Commission and the Audit Committee be strengthened as set out in the report;
5. that the Council actively promote the use of 'Questions under Scrutiny Committee Procedure 11.16' as set out in the Constitution.

### Reasons

1&2. In order for the Council to continue robust member-led scrutiny proportionate to the constrained resources that the Council has at its disposal.

3&4. To ensure that the scrutiny function at the Council is able to effectively scrutinise the Council's approach to recovery.

5. In order for the Council to satisfy the CfPS guidance.

6. PRE-DECISION SCRUTINY OF ANY SPECIFIC FINANCIAL MATTERS TO BE CONSIDERED BY CABINET

There were no items of this nature to consider.

7. COVID-19: COUNCIL APPROACH TO COMMUNITY, ECONOMIC AND ORGANISATIONAL RECOVERY

A Cabinet report of the Chief Executive setting out the Council approach to community, economic and organisational recovery following the Covid-19 pandemic was considered for pre-decision scrutiny (item 8a on the agenda filed with these minutes).

The Chief Executive, the Strategic Director of Housing, Planning, Regeneration and Regulatory Services and the Strategic Director of Corporate Services attended the meeting to assist with the consideration of this item. The following summarises the discussion:

- (i) The Chief Executive expressed satisfaction that the Scrutiny Commission was once again active, despite the ongoing Covid-19 pandemic and acknowledged that scrutiny would have a significant role in the recovery of the Council.
- (ii) Councillors expressed thanks to Officers in responding successfully to the crisis and acknowledged the significant amount of work that had been undertaken in ensuring the Council remained efficient and functional. Particular reference was made to ICS who they felt deserved recognition. The Chief Executive put on record his thanks to employees for their commitment and professionalism.
- (iii) Members' involvement in the recovery of the Council would be significant, and where possible, Members should do this through the committees they participate in. Council

resources had been focussed at responding to crisis and maintaining excellent services during the current pandemic, and Officer time was limited as a result of this. Councillor casework would extend across all themes within the recovery plan; organisational, economic and community. Councillors were advised to concentrate on urgent casework at present and in due course would receive guidance on the routine casework.

- (iv) The Council aimed to continue to communicate and engage with local businesses as this had been done successfully so far. It was suggested that ‘communication and engagement with local businesses’ was the priority in the ‘Backing Our Businesses’ section of the report, and that this should be made the first objective, as opposed to the final one.
- (v) The Council had responded to the crisis in a way that allowed innovative and new ways of working to develop and opportunities presented had been embraced. It was anticipated that positive changes that had derived from the pandemic would be adopted on a long-term basis by the Council.
- (vi) Risk Management associated with the Council’s approach to recovery was refined and applied to individual risks, as opposed to the overall approach. This would allow for thorough examination of the risk and identification of appropriate solutions.
- (vii) Employee sickness levels remained roughly standard for the time of year. There would be an opportunity to measure statistics associated with staff sickness at future Scrutiny Commission meetings, if a temporary revised structure allowed for this.
- (viii) It was recognised that the current financial situation of the Council was exceptional, and that income had been compromised as a result of the pandemic. The Council was explicitly monitoring the ongoing implications of the pandemic and was considering the adaptations required to facilitate this. An outturn return will be presented to Cabinet which will indicate the initial impact of the pandemic. Beyond this an interim budget will be developed which will culminate in reports to Cabinet and Council in the autumn.
- (ix) Commercialisation remained a significant consideration of the Council’s business and where possible, would continue to incorporate the original ideas proposed previously, prior to the pandemic. It was noted that the link to recovery and regeneration would be explored. The approach to commercial property would be revised to take into account changes in the economy, markets, legislation and finances.
- (x) The Council had been able to manage cash flow through the treasury in the normal way. There had been some adverse cash flow impact experienced, but this was manageable within the context of the Council’s cash balances and had also been somewhat mitigated by additional Government funding received.

## **RESOLVED**

1. that the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Chief Executive, subject to the change recommended in resolution 2 below;

2. that it be recommended to Cabinet that the Council's objective to communicate and engage with local businesses be made the first point in the 'Backing Our Businesses' section of the report.
3. that officers be asked to ensure councillors receive advice and guidance on the continuation of routine casework when information is available.

### Reasons

1. The Commission, having carefully considered the report, felt the Cabinet should approve the recommendations set out.
2. To emphasize the importance of the continuation of communication and engaging with local businesses.
3. To ensure that Councillors were able to continue with casework in a safe and timely manner where possible.

## 8. SCRUTINY COMMISSION PRE-DECISION SCRUTINY - CABINET RESPONSE

A report of the Cabinet was considered setting out its responses to the recommendations of the Commission on pre-decision scrutiny items (item 9 on the agenda filed with these minutes).

**RESOLVED** that the Cabinet's responses to the Commission's recommendations be noted.

### Reason

The Commission was satisfied that it added value where appropriate and welcomed the Cabinet's consideration of the Commission's views and recommendations as part of its decision making process.

## 9. PROGRESS WITH PANEL WORK

A report of the Head of Strategic Support to review progress with Scrutiny Panels and to consider the implications of the Covid 19 pandemic on the current scrutiny panel programme was considered (item 10 on the agenda filed with these minutes).

The Democratic Services Manager assisted with the consideration of this item. The following summarises the discussion:

- (i) It was confirmed that the Commission had earlier in the meeting agreed to suspend scrutiny panel work for a six-month period and this was to be reviewed in September or October 2020.
- (ii) It was suggested that the Budget Scrutiny Panel remained in operation during the six-month suspension period to allow for significant financial implications to be reviewed. A report outlining this will be received by the Commission at its meeting in July.

- (iii) The report from the Generating Commercial Income Scrutiny Panel had been deferred from this meeting to allow the Commission to prioritise the scrutiny of Covid-19 responses. It was acknowledged that this report should be received by the Commission at its next meeting as it was already complete. This would keep the Commission informed and allow for the development of commercial ideas in the future following recovery.

## **RESOLVED**

1. that no changes be made to scrutiny panels;
2. that Scrutiny Panel work be suspended for six months until 30th November 2020;
3. that the Generating Commercial Income Scrutiny Panel report be submitted to the next meeting of the Scrutiny Commission.

### Reasons

1. To ensure timely and effective scrutiny of the matter/subject.
2. To focus Council resources on the Covid-19 pandemic.
3. To ensure the Commission is informed and allow for the development of commercial ideas in the future following recovery.

10. CHILDREN AND FAMILIES WELLBEING SERVICE - REPORT FROM NEIGHBOURHOODS AND COMMUNITY WELLBEING SCRUTINY COMMITTEE

A report of the Neighbourhoods and Community Wellbeing Scrutiny Committee to provide an update to the Commission after its review of the Children and Family Wellbeing Service at its meeting held on 10th March 2020 was considered (item 11 on the agenda filed with these minutes).

The following summarises the discussion:

- (i) The Commission thanked the Neighbourhoods and Community Wellbeing Scrutiny Committee for producing the report and acknowledged that it added value to the consideration of panel work.
- (ii) The Commission felt that receiving further data on referrals from Charnwood in six months' time as suggested in the report would be beneficial and a further review of the service could then be undertaken at that time. This is likely to coincide with the restoration of the scrutiny panels and committees and so a further decision can be made at this point regarding a scrutiny panel on children's centres.

## **RESOLVED**

1. that the Scrutiny Commission notes the observations and resolutions of the Neighbourhoods and Community Wellbeing Scrutiny Committee;

2. that performance data and numbers of case referrals for Charnwood Borough be requested from LCC and, if available, be circulated to the Committee in six months' time.

#### Reasons

1. To ensure the Commission is informed on the topic of Children's Centres in order to establish whether a scrutiny panel was required.
2. The Committee and the Commission wished to understand the performance of the Service as it related to the Charnwood area and, as the Service was relatively new, allow for the generation of data.

### 11. SCRUTINY WORK PROGRAMME

A report of the Head of Strategic Support to agree the Scrutiny Work Programme for the committees including any amendments to the current work programme was considered (item 12 on the agenda filed with these minutes).

The Democratic Services Manager assisted with the consideration of this item.

#### **RESOLVED**

1. that no changes be made to the Scrutiny Committees Work Programme;
2. that the directorate-based scrutiny committees be suspended for six months until 30th November 2020 with a review in September or October 2020;
3. that the Scrutiny Work Programme be updated in accordance with the decisions taken during consideration of this item and any further decisions taken during the course of this meeting.

#### Reasons

1. To ensure timely and effective scrutiny.
2. To focus Council resources on the Covid-19 pandemic.
3. To ensure that the information contained within the Work Programme is up to date.

### 12. SCRUTINY COMMISSION WORK PROGRAMME

A report of the Head of Strategic Support to enable the Commission to consider its work programme and forthcoming Key Decisions and decisions to be taken in private by the Cabinet in order to schedule items for pre-decision scrutiny was considered (item 13 on the agenda filed with these minutes).

The Democratic Services Manager assisted with the consideration of this item. The following summarises the discussion:

- (i) The Annual Scrutiny Report 2019-20 had been deferred from this meeting in order for the Commission to prioritise the Council's response to Covid-19. It was acknowledged that the Commission had not completed a full year of meetings due to Covid-19 and so it would be more appropriate to further defer this item to October or November 2020.
- (ii) The Commission agreed that future agendas should focus on one key scrutiny topic, which reflected the Council's recovery plan, of community recovery, economic recovery and organisational recovery. The Lead Officer involved in each of these recovery cells would be invited to the relevant Scrutiny Commission meetings to present their update. Pre-Decision Scrutiny would continue as usual.
- (iii) It was emphasised that items on the work programmes associated with scrutiny would not be lost and would remain present until the current structure was reinstated, at which point they would be referred to.
- (iv) It was requested that the next meeting of the Scrutiny Commission be moved from 29th June 2020 to 30th June 2020 in order to facilitate a change in the Council's meetings timetable.

## **RESOLVED**

1. that forthcoming Executive Key Decisions or decisions to be taken in private by the Executive, set out in Appendix 2 to the report, and scheduled scrutiny of those matters, be noted;
2. that the Commission's current work programme be noted;
3. that the Scrutiny Commission Work Programme be revised and presented at the next meeting. This would include one key scrutiny item per meeting, to reflect that of the Council's Covid-19 recovery plan, focusing on community recover, economic recovery and organisational recovery;
4. that the Annual Scrutiny Report 2019-20 be deferred to October or November 2020;
5. that the next meeting of the Scrutiny Commission takes place on 30th June 2020\*, as opposed to 29th June 2020.

*\*Date subsequently moved to 6th July 2020, following a change to the July Cabinet meeting date.*

## **Reasons**

1. To ensure timely and effective scrutiny.
2. To ensure effective and timely scrutiny, either to provide Cabinet with advice prior to it taking a decision or to ensure that the Council and external public service providers and partners were operating effectively for the benefit of the Borough.

3. To ensure the Scrutiny function carefully considers the Council's approach to recovery from Covid-19.
4. To ensure that the Annual Scrutiny Report reflected a full 12 months of Scrutiny work undertaken by the Commission.
5. To facilitate a change in the Council's meetings timetable.

13. EXEMPT INFORMATION

**RESOLVED** that members of the public be excluded from the meeting during the consideration of this item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and the public interest in maintaining the exemption outweighed the public interest of disclosing the information.

*At this point in the meeting the live streaming was switched off.*

14. LEISURE CENTRE CONTRACT

An exempt Cabinet report of the Head of Leisure and Culture to consider financial support to the Leisure Centre Contractor during the current Covid-19 pandemic to support ongoing hibernation was considered for pre-decision scrutiny (exempt item 15 on the agenda filed with these minutes).

The Chief Executive, the Head of Leisure and Culture and the Cabinet Lead Member for Performance of Major Contracts attended the meeting to assist with the consideration of the item. A summary of the Commission's discussion on this matter is provided in the exempt minute (Scrutiny Commission Minute 14E. 2020/21).

**RESOLVED** that recommendations be made as detailed in the exempt minute (Scrutiny Commission Minute 14E 2020/21).

Reason

As set out in the exempt minute (Scrutiny Commission Minute 14E 2020/21).

NOTES:

1. No reference may be made to these minutes at the next available Ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Scrutiny Commission.